

RULES AND REGULATIONS

RELATING TO

LAND INVESTIGATION

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Order No. 2 of the Governor-General of Chosen.

(Promulgated August, 13, 1912)

Regulations for Land Investigation.

- ART. 1. Lands shall be investigated and surveyed in accordance with the present regulations.
- ART. 2. Lands shall be classified under the following designations according to their nature and each lot shall be numbered after the superficies has been surveyed. Lands mentioned under No. 3, however, may not be numbered.
- No. 1. Dry fields, wet fields, residential grounds, ponds and marshes, forests and plains, and miscellaneous lands.
- No. 2. Temple, monastery and church grounds, grave-yards, public parks, railway grounds and waterworks grounds.
- No. 3. Roads, rivers, canals and sewers, embankments, city-walls, railway lines, and waterworks lines.
- Forests and plains to be investigated and surveyed by virtue of the preceding paragraph

shall be only those standing between lands to be investigated.

ART. 3. In the surveying of the superficies, "*tsubo*" or "*bu*" shall be employed as the lowest unit for determining the area of lands.

ART. 4. Land-owners shall submit to the Director of the Land Investigation Bureau, within the period appointed by the Governor-General of Chosen, information with regard to their name and address, and in case of corporations the name of the corporation, as well as with regard to the situation, designation, and number of lots owned by them, also information concerning the four corners, class and area of such lands and the number of "*kyol*" contained in them. As to State lands, the offices holding them shall forward the information thereof to the Director of the Land Investigation Bureau.

ART. 5. Land-owners, tenants, or other persons managing them shall erect, within the period appointed by the Governor-General of Chosen, posts at the four corners of their lands bearing an inscription concerning the designation and number of their lands. In the case of lands privately owned the name of the owner shall have inscribed on them and in the case of State lands, the name of the office holding the lands.

ART. 6. When investigation and surveying are being carried out, the authorities may order land-

owners in the district where the investigation and surveying are to be carried out to elect two or more representatives of themselves to deal with affairs concerning the investigation and surveying.

ART. 7. In case it is recognized necessary for the investigation and surveying of lands the officials concerned may require the presence on the spot of the land-owners, persons having interests in the lands, or their agents, or may order those possessing documents concerning them to submit those documents for their inspection.

ART. 8. In case it is recognized necessary for the investigation and surveying of lands the officials concerned may enter the lands, erect marks for survey, or remove any obstacles.

In such cases as mentioned in the preceding paragraph, the officials shall notify beforehand the owners or possessors of the lands or obstacles.

In such cases as mentioned in the first paragraph, if any damage is actually done compensation for it shall be made. Persons, however, objecting to the amount of money to be given as compensation may ask for revision and judgment by the Governor-General of Chosen within 30 days from the date on which the information concerning the amount to be paid has been received.

ART. 9. The Director of the Land Investigation Bureau

shall decide as to the owner as well as the boundaries of lands after having made inquiries thereanent of the Local Committee for Land Investigation.

The decision mentioned in the foregoing paragraph given by the Director of the Land Investigation Bureau shall be publicly announced during the period of 30 days.

- ART. 10. The decision mentioned in the first paragraph of the preceding Article shall be given upon the existing state of the ownership of lands, or upon the actual condition of boundaries existing on the date the information thereof mentioned in Art. 4 is submitted. The decision, however, on those lands concerning which the information has not been forwarded, shall be given on the existing state of the ownership of lands, or on the actual condition of boundaries existing on the date on which the decision is given.
- ART. 11. Persons objecting to the decision mentioned in the first paragraph of Art. 9 may lodge a protest with the Higher Committee for Land Investigation within 60 days after the expiration of the public announcement mentioned in the second paragraph of the same Article. Persons, however, not present on the spot as mentioned in Art. 7 without giving proper reasons, shall not be entitled to the right of making the protest mentioned in the preceding clause.

- ART. 12. The Higher Committee for Land Investigation may require the presence of the persons concerned or interested, witnesses, or appraisers, or may order persons possessing necessary documents for giving judgment to submit such documents to it.
- ART. 13. The Higher Committee for Land Investigation shall issue its judgments in a written form, giving reasons, and hand duplicates of the documents to the persons making protest. The judgments mentioned in the preceding paragraph shall be publicly announced.
- ART. 14. The Higher Committee for Land Investigation shall forward the information concerning its judgments, together with duplicates of the documents containing them, to the Land Investigation Bureau as well as to the Local Government Office concerned.
- ART. 15. The rights of land-owners become final and conclusive by the decisions given by the Director of the Land Investigation Bureau after the term for entering protest against them has expired, or by the judgment given by the Higher Committee for Land Investigation.
- ART. 16. In the following cases, with regard to affairs settled by a decision of the Director of the Land Investigation Bureau, or by a judgment by the Higher Committee for Land Investigation, an application for re-examination may be submitted

to the Higher Committee for Land Investigation within 3 years from the date on which the decision or judgment was given, provided that the judgment by a law-court for punishable action has been finally pronounced.

1. In case the decision or judgment was given on the consideration of punishable action.
2. In case documents furnished as evidence for the decision or judgment were forged or altered.

ART. 17. The Land Investigation Bureau shall have provided cadastre and maps of lands, and register in them affairs settled by decisions or judgments concerning the investigation and surveying of lands.

ART. 18. Persons giving false information with regard to the matters mentioned in Art. 4 shall be fined an amount not exceeding 100 *yen*.

ART. 19. Persons failing to give information mentioned in Art. 4 or contravening the orders mentioned in Arts. 7 and 12 without giving proper reasons shall be fined an amount not exceeding 30 *yen*.

Supplementary Rules.

The present Regulations shall be enforced on and after the date of promulgation.

The settlements, procedures and all other actions

performed under the former laws and regulations shall be considered as having been done in accordance with the present regulations.

Ordinance No. 6 of the Government- General of Chosen.

(Promulgated August 13, 1912)

Regulations for the Enforcement of the Order for Land Investigation.

- ART. 1. Information mentioned in Art. 4 of the Order for Land Investigation shall be prepared by land-owners in accordance with form No. 1 (omitted) and submitted to the Land Investigation Bureau of the Government-General of Chosen, or to the officials of the Bureau despatched to localities.
- In case land-owners fail to submit the information as mentioned in the preceding paragraph, persons having interests in the lands may prepare and submit the information.
- ART. 2. In case the officials concerned want to enter residential compounds before sunrise or after sunset for making investigation and surveying of the lands, they shall obtain beforehand the consent of the possessors or occupants of the compounds.

- ART. 3. The public announcement mentioned in the second paragraph of Art. 9 of the Order for Land Investigation shall be made by submitting books and maps of lands investigated to public inspection at the Office of Fu (town) or Gun (district) where the said lands stand during 30 days and a notice to the above effect shall also be published in the Official Gazette of the Government-General of Chosen as well as in that of the Provincial Office of the province in which the lands exist.
- ART. 4. The public announcement mentioned in the second paragraph of Art. 13 of the Order for Land Investigation shall be inserted in the Official Gazette of the Government-General of Chosen as well as in that of the Provincial Office of the province in which the lands exist in the name of the chairman of the Higher Committee for Land Investigation.
- ART. 5. Should there occur any of the following cases in connection with lands after information or notice thereof has been given according to Art. 4 of the Order for Land Investigation and before the public announcement has been made according to the second paragraph of Art. 9 of the same, the owners of or the office holding the lands in question shall inform or notify immediately the Land Investigation Bureau of the

Government-General of Chosen in accordance with the forms Nos. 2 to 7 (omitted).

1. In case changes have occurred in land-owners or managers.
2. In case a lot of land has been divided into two or more lots.
3. In case several lots have been combined to form a single lot.
4. In case changes have occurred in the designation of lands.
5. In case private lands have become State lands or *vice versa*.
6. In case changes have occurred in the names and addresses of land-owners or managers.

The information mentioned in the preceding paragraph shall bear the seal of approval of the chief of the "myon" of the locality where the lands concerned exist.

- ART. 6. Persons asking for revision or re-examination of judgment given by the Higher Committee for Land Investigation shall submit to the Committee a petition giving reasons, accompanying it with documentary evidence.
- ART. 7. Persons failing to give information mentioned in Art. 5 shall be fined an amount not exceeding 30 *yen*.
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Supplementary Rule.

The present Regulations shall be enforced on and after the date of promulgation.

Imperial Ordinance No. 3.

(Promulgated August 12, 1912)

Organic Regulations for the Higher Committee for Land Investigation.

ART. 1. The Higher Committee for Land Investigation shall be established in the Government-General of Chosen.

The Higher Committee for Land Investigation shall decide protests against the decisions given by the Director of the Land Investigation Bureau with regard to the ownership of lands and also re-examine decisions and judgments.

ART. 2. The Higher Committee for Land Investigation is composed of a chairman and nine members.

ART. 3. The chairman shall be the Administrative Superintendent of the Government-General of Chosen.

The members shall be appointed by the Cabinet of the Imperial Government, through the recommendation of the Governor-General of Chosen, and shall consist of 3 judges of Law-courts of the Government-General of Chosen and 6 higher officials of the Government-General of

Chosen and the Land Investigation Bureau of the Government-General of Chosen.

- ART. 4. A session of the Higher Committee for Land Investigation shall not be held unless the chairman and more than half the members are present.
- ART. 5. Matters to be discussed by the Higher Committee for Land Investigation are decided by a majority of the members present. In case the votes are equally divided the chairman shall decide.
- ART. 6. The chairman shall take charge of all affairs of the Committee.
In case the chairman is unable to attend, a member appointed by him shall take his place.
- ART. 7. A secretary shall be attached to the Higher Committee for Land Investigation. The secretary shall be appointed from among higher officials of the Government-General of Chosen or those of the Land Investigation Bureau of the Government-General of Chosen.
The secretary shall, under the direction of the chairman, take charge of miscellaneous affairs.
- ART. 8. The Higher Committee for Land Investigation shall have the service of clerks and interpreters. Clerks and interpreters shall be appointed by the Governor-General of Chosen from among officials of Hannin rank of the Government-

General of Chosen or those of the Land Investigation Bureau of the Government-General of Chosen.

Clerks and interpreters shall, under the directions of the chairman and secretary, attend to general business or interpreting.

Supplementary Rule.

The present Ordinance shall be enforced on and after the date of promulgation.

Imperial Ordinance No. 4.

(Promulgated August 12, 1912)

Organic Regulations for the Local Committee for Land Investigation.

- ART. 1. A Local Committee for Land Investigation shall be established in each province of Chosen.
- The Local Committee for Land Investigation shall answer inquiries made by the Director of the Land Investigation Bureau of the Government-General of Chosen for the purpose of deciding the ownership of lands.
- ART. 2. The Local Committee for Land Investigation is composed of a chairman and five members.
- In case it is recognized necessary not more than 3 members may be temporarily added to the number mentioned in the preceding paragraph.
- ART. 3. The chair shall be taken by the Provincial Governor. The members shall be the Councillor and Executive Officials, namely the Directors of the Internal and Financial Affairs Departments of the Provincial Office. Besides these, the Governor-General of Chosen appoints to the post persons of good reputation in the Province.

The members holding temporary appointment shall be appointed by the Governor-General of Chosen from among Prefects of Fu (towns) or Magistrates of Gun (districts) interested in the decision concerning the ownership of lands as well as persons of good reputation in those localities.

ART. 4. A session of the Local Committee for Land Investigation shall not be held unless the chairman and more than half the members and members holding temporary appointment are present.

ART. 5. Matters to be discussed by the Local Committee for Land Investigation are decided by a majority of the members and members holding temporary appointment present.

In case the votes are equally divided the chairman shall decide.

ART. 6. The chairman shall take charge of all affairs of the Committee.

In case the chairman is unable to attend, a member appointed by him shall take his place.

ART. 7. The Local Committee for Land Investigation shall have the service of clerks and interpreters.

Clerks and interpreters shall be appointed by the Provincial Governor from among officials of Hannin rank of the Provincial Office.

Clerks and interpreters shall, under the direction of the chairman, attend to general business or interpreting.

Supplementary Rule.

The present Ordinance shall be enforced on and after the date of promulgation.



Notification No. 5. of the Government- General of Chosen.

(Promulgated January 17, 1913)

Regulations for the Presentation of Information relating to Lands.

- ART. 1. Information as mentioned in Art. 1 of the Regulations for the Enforcement of the Order for Land Investigation shall be prepared in accordance with the provisions of these regulations.
- ART. 2. Information concerning lands owned by "*myon*", "*dong*", public bodies, as well as by temples, shrines, churches and so forth shall be submitted by their managers.
- ART. 3. In case information is submitted by those having interest in lands, they shall present with it a written statement giving the nature of their interests and the reasons for so doing as well as documentary evidence concerning the lands. In case there are several interested, it is desirable that they submit information jointly as far as possible.

- ART. 4. Information concerning lands, for the ownership of which disputes are pending, shall be submitted together with written statements, giving the number of the lands in question and epitomized accounts of the disputes, rough maps of the lands involved and documentary evidence. In case law-suits are in progress concerning such lands the said written statements shall contain the principal points, the number, name and date of the suits.
- ART. 5. In case more than two lots of lands are owned by the same land-owners in a “*dong*”, information concerning them shall be embodied in a single paper. Lots of lands entered in the register of “*kyol*” shall be recorded as such in the information.
- ART. 6. In giving designations of lands in information papers those in local use and suitable for practical purposes shall be adopted. In case lands are entered in the register of “*kyol*” it shall contain their local name (*azana*), number, area and number of “*kyol*” as already shown in the register of “*kyol*.” As to lands newly opened for cultivation, mention to that effect shall briefly be given in the column of remarks in the paper of information.
- ART. 7. A portion of land bearing the same local name and number shall be mentioned as “a portion of
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land bearing the local name of and numbered”.

- ART. 8. If there are any residential lands not entered in the register of “*kyol*” they shall be represented by the number of the house standing on them. The local name, number and description of the four corners of such lands may be omitted.
- ART. 9. Foreigners shall state their nationality below their name.
- ART. 10. Names shall be written in the same character and style as those-standing in the census register.
- ART. 11. A woman having no name shall give the name by which she was known in childhood and also write below it “wife of” or “widow of”.
- ART. 12. In case information is submitted by an agent or a person interested, the name and address of the land-owner shall be written on the line provided for the name of the land-owner and the name, address and capacity of the informant on the next line. In case the land-owner is dead and the successor is not as yet decided the name of the late land-owner shall be inserted with the word “deceased” placed after.
- ART. 13. In case land-owners, agents, or persons interested are numerous, and their names cannot be contained in the line provided for the name and address of land-owner, their addresses may be omitted and only the name of one of them and

the number of all the others shall be given in the line intended for the name of the land-owner, and they shall attach to the paper a document in which their names, addresses and capacities are given.

- ART. 14. Information shall be written clearly and legibly.
- ART. 15. Names in papers giving information, explanation and declaration shall have seals imprinted. Those not possessing seals may put signatures or thumb-prints instead.
- ART. 16. Personal names or appellations, designations, local names and numbers of lands must accord with those inscribed on the boundary marks erected on the lands.
- ART. 17. In case information is submitted by agents, a letter of attorney issued by proper persons shall be attached to it.



Notification No. 3 of the Land Investigation Bureau.

(Promulgated August 24, 1910)

Regulations for the Representatives of Land-owners.

- ART. 1. Representatives of land-owners shall endeavour to make the people thoroughly understand the purpose of land investigation, explain matters required of land-owners as well as of persons interested, and thus give facilities to both people and officials for the proper progress of the work.
- ART. 2. Representatives of land-owners shall exercise their duties fairly and impartially and shall not act selfishly in connection with the land investigation.
- ART. 3. Affairs to be dealt with by representatives of land-owners are roughly as follows:—
1. Matters relating to guidance with regard to boundaries of “*Dong*” or “*Ri*” as well as to guidance for investigation of lands.
 2. Matters relating to the collection of papers of information.

3. Matters relating to the erection and maintenance of boundary posts.
4. Matters relating to the presence on the spot and the summoning of land-owners and persons interested.
5. Matters relating to changes in ownership, boundaries, area of lands and so forth.
6. In addition to the matters above mentioned, those shown by the officials concerned.

In case of No. 2 of the preceding paragraph, representatives of land-owners shall sign their names or put their seals in the line provided in papers of information.

- ART. 4. Representatives of land-owners shall immediately collect papers of information when the boundaries of a “*Dong*” or “*Ri*” have been investigated.
- ART. 5. Representatives of land-owners shall examine the names, designations, numbers and so forth mentioned in information papers and cause them to be identical with those mentioned on the boundary posts of each plot of land.
- ART. 6. In case representatives of land-owners learn matters useful for reference concerning information of lands or such as may be useful for reference in investigating lands regarding which the required information has not been given they

shall immediately notify thereof to the officials concerned.



**Ordinance No. 58 of H. I. J. M's.
Residency-General.**

(Promulgated September 15, 1910)

**Regulations concerning Marks for Land
Survey.**

- ART. 1. Marks for Survey regarded as such under these regulations consist of Stone Station Marks, Signals for Triangulations, Wooden-marks comprising Traverse Marks and Boundary Marks, and Flag Poles which are to be erected for carrying out survey in accordance with the Order for Land Investigation.

Shapes and Forms of these Marks for Survey shall be given in the diagram shown elsewhere (omitted).

- ART. 2. Land necessary for the erection of Marks for Survey may be used.

Bamboos and trees presenting an obstacle to survey may be removed if circumstances render so doing unavoidable or Signals for Triangulation may be established on trees.

In the preceding two paragraphs, persons

sustaining any damage by reason of the survey shall be duly compensated.

- ART. 3. In case the Land Investigation Bureau has erected Stone Station Marks and Signals for Triangulation, the Bureau shall inform the Provincial Office governing the districts where the marks have been erected regarding the description and position of such marks. In case Stone Station Marks and Signals for Triangulation are removed or withdrawn the same procedure shall also be taken.
- ART. 4. A Provincial Governor shall determine measures for the maintenance of survey marks at his discretion and cause Prefects of Fu or District Magistrates to guard such marks standing in the districts under their jurisdiction.
- ART. 5. In case Prefects of Fu or District Magistrates learn of the disappearance of, or damage to, or any other changes in Stone Station Marks or Signals for Triangulation they shall forward information to the Land Investigation Bureau, giving particulars thereof.
- ART. 6. A person removing, destroying or damaging Stone Station Marks shall be fined an amount not exceeding 50 *yen* or condemned to detention.
- ART. 7. A person removing, destroying or damaging Wooden-marks comprising Traverse-marks and Boundary-marks or Flag Poles shall be fined an amount not exceeding 50 *yen*.

ART. 8. A person guilty of the following shall be liable to a penalty not exceeding 5 *yen* :—

1. One damaging by accident Marks for Survey.

2. One throwing bricks, pebbles or other articles at Marks for Survey, hitching animals to them, hanging ropes or cords, or pasting papers or scribbling on them or guilty of any other malicious action.

Supplementary Rule.

The present regulations shall be enforced on and after the date of promulgation.

